

**RHEA EVETTE NEBGEN,**  
  
**Plaintiff,**  
  
**v.**  
  
**MARTIN O’MALLEY,**  
 Commissioner of Social Security,  
  
**Defendant.**

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 ) **Case No. 23-00213-CV-W-MDH-SSA**  
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of \$128.36 per hour) *citing Johnson v. Sullivan*, 919 F.2d 503, 504 (8th Cir. 1990). The statutory hourly rate under the EAJA was increased from \$75 to \$125 per hour for cases commenced on or after March 26, 1996.

Further, in determining the reasonableness of the hours claimed in Plaintiff's request, the Court must rely upon its own knowledge, experience, and expertise of the time required completing similar activities by lawyers of reasonably comparable skill, experience, and reputation. *Shepherd v. Apfel*, 981 F. Supp. 1188, 1192 (S.D. Iowa 1997) *citing Gilbert v. City of Little Rock, Arkansas*, 867 F.2d 1063, 1066 (8th Cir. 1989). This Court has reviewed Plaintiff's submission to this court as to hours spent on this case and hourly rate and found both to be reasonable.

Therefore, Plaintiff's Motion is **GRANTED**, and it is **ORDERED** that Plaintiff is awarded \$7,500 to be paid by the Social Security Administration. Plaintiff has signed an Assignment of EAJA Fees in this case. (Doc. 11-2). The award is to be made payable to Roger M. Driskill, Plaintiff's attorney. The Court acknowledges that, in accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), the EAJA fee is payable to Plaintiff as the litigant and may be offset to satisfy a pre-existing debt that the litigant owes to the United States. Additionally, Plaintiff is to receive \$402 from the Judgment Fund, representing filing fees. This amount is likewise payable to Roger M. Driskill.

**IT IS SO ORDERED.**

Dated: May 23, 2024

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**United States District Judge**